

PATRICK L. FORTE, #80050
LAW OFFICES OF PATRICK L. FORTE
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Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 14-40186 RLE

CATHY RAE BOOTH,

Chapter 13

**DECLARATION OF PATRICK L. FORTE
IN SUPPORT OF ORDER MODIFYING
PLAN**

Debtor.

I, Patrick L. Forte, declare:

1. I am the attorney for the above named debtor.

2. On January 28, 2016, Wilmington Trust, NA successor to Citibank, NA, as Asset Mortgage Investments II Trust 2007, C/o Select Portfolio Servicing ("Select Portfolio Servicing") obtained relief from the automatic stay.

3. On April 20, 2016, Select Portfolio Servicing returned to the Chapter 13 trustee a check in the sum of \$503.50 that they received from the Chapter 13 trustee's office along with a letter stating that they had obtained relief from the automatic stay. The trustee currently has funds on hand totaling \$9,200.20. We have objected to the claim of Select Portfolio Servicing and we are moving to modify the Chapter 13 plan to pay general unsecured

1 claims 100% and to have the excess funds held by the trustee to be
2 returned to the debtor.

3 I declare under penalty of perjury under the laws of the State of
4 California that the foregoing is true and correct.

5 Executed October 23, 2017, Oakland, California

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7 /s/ Patrick L. Forte
8 PATRICK L. FORTE
9 ATTORNEY FOR DEBTOR
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